

**NOTICE OF PUBLIC MEETING
OF THE
OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER
THE INFLUENCE ABATEMENT
AND
AGENDA**

Pursuant to A.R.S § 38-431.02, notice is hereby given to the members of the **Oversight Council on Driving or Operating Under the Influence Abatement** and to the general public that the **Oversight Council on Driving or Operating Under the Influence Abatement** will hold a meeting open to the public on **Thursday, June 21, 2007** beginning at **1:30 p.m.** at **1110 W. Washington, Conference Room 250, Phoenix, Arizona 85007.**

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Criminal Justice Commission endeavors to ensure the accessibility of its meetings to all persons with disabilities. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission Office at (602) 364-1146. Requests should be made as early as possible to allow time to arrange the accommodation.

The Oversight Council on Driving or Operating Under the Influence Abatement may go into Executive Session on any of the following agenda items for the purposes of receiving legal advice pursuant to A.R.S. § 38-431.03(A)(3).

Agenda for the meeting is as follows:

- | | | |
|-------------|--|---------------------------------|
| I. | Call to Order and Roll Call | Chairperson Mark Dannels |
| II. | Minutes of the April 26, 2007 Meeting | Mark Dannels |
| | <ul style="list-style-type: none">• Approval of the minutes. | P-F-T |
| III. | Apache County Sheriff's Office request for consideration of grant application | Debby Finkel |
| | <ul style="list-style-type: none">• Review, discussion, consideration and possible action on the Apache County Sheriff's Office application for funding. | P-F-T |
| IV. | 2008 DUI Abatement Grant Applications | Debby Finkel |
| | <ul style="list-style-type: none">• Review, discussion, consideration and possible action on grant applications for the Enforcement and Innovative Programs and funding allocations. | P-F-T |

- V. Directed DUI Abatement Funds Reporting** **Mark Dannels**
- Review, discussion, consideration and possible action on requiring legislative directed DUI funds to be reported annually to the Oversight Council. **P-F-T**

- VI. Oversight Council Logo** **Mark Dannels**
- Review, discussion, consideration and possible action on creating a logo for all official business of the Oversight Council. **P-F-T**

VII. Call to the Public

Those wishing to address the Council need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

VIII. Date, Time, and Location of Next Meeting

- The next Oversight Council on Driving or Operating Under the Influence Abatement meeting will be on **Thursday, August 30, 2007** at **1:30 p.m.** held at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

IX. Adjournment

A copy of the agenda background material provided to Oversight Council members is available for public inspection at the Arizona Criminal Justice Commission Office, 1110 West Washington, Suite 230, Phoenix, Arizona 85007, (602) 364-1146. This document is available in alternative formats by contacting the Commission Office.

OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT

Request for Council Action

Action Requested:	Type of Action Requested:	Subject:
June 21, 2007	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the April 26, 2007 Meeting

TO: Oversight Council

FROM: Chairperson Mark Dannels

RECOMMENDATION:

The Council approve the minutes of the April 26, 2007 meeting.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Oversight Council on Driving or Operating Under the Influence Abatement
Minutes
April 26, 2007**

A public meeting of the Oversight Council on Driving or Operating Under the Influence Abatement was convened on April 26, 2007 at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

Members Present:

Mark Dannels, Chairperson, Captain, Cochise County Sheriff's Office
Ken Buckland, Senate Appointee
Richard Fimbres, Director, Governor's Office of Highway Safety
Daisy Flores, Gila County Attorney by conference call
Alberto Gutier, Speaker of the House Appointee
Gary Johnson, Governor Appointee
Dwayne Hartup, Chief, Holbrook Police Department
Stacey Stanton, Assistant Director, Motor Vehicle Division, Lorraine Brown representing by conference call

Members Absent:

Roger Vanderpool, Director, Department of Public Safety
Kerry Wangberg, City of Phoenix Prosecutor

Legal Counsel Present:

Brian Schneider, Assistant Attorney General

Guests Participating:

Phil MacDonnell, Maricopa County Attorney's Office
Marlena Padron, Maricopa County Attorney's Office
Nicole Pena, Maricopa County Attorney's Office
Brent Ricks, Maricopa County Attorney's Office
John Garcia, Maricopa County Attorney's Office

Staff Participating:

Pat Nelson, Arizona Criminal Justice Commission
Debby Finkel, Arizona Criminal Justice Commission
Wendy Boyle, Arizona Criminal Justice Commission

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Mark Dannels at 1:32 p.m. Roll was taken and a quorum was declared present.

II. Minutes of the December 5, 2006 Meeting

Chairperson Dannels called for a motion on the minutes. Alberto Gutier entered a motion to approve the minutes of the meeting held on December 5, 2006. The motion seconded by Ken Buckland passed unanimously.

III. 2008 DUI Abatement Announcement

Debby Finkel, Grants Coordinator explained that the 2008 DUI grant announcement includes a solicitation for two separate grant programs, Enforcement and Innovative. Seventy percent of the funds will be dedicated for the Enforcement Program to be granted for a period of six months, starting July 1, 2007 through December 31, 2007. Twenty-five percent of the monies will be committed for the Innovative Program to be granted for a period of one year starting July 1, 2007 through June 30, 2008.

Alberto Gutier entered a motion to approve the 2008 DUI Abatement grant announcement for Enforcement and Innovative grants. The motion seconded by Dwayne Hartup passed unanimously.

IV. Maricopa County Attorney's Office Website

Phil MacDonnell, Maricopa County Attorney's Office (MCAO) provided a presentation of the newly redesigned website, www.StopDUIAZ.com. MCAO has created a multi-media campaign to deter drinking and driving in the state Arizona utilizing several different media formats such as the website, TV, radio public safety advertisements and brochures. The multi-media campaign will target the recreational drinker through: 1.) informing the public of the dangers of DUI, 2.) providing current articles on DUI topics, 3.) highlighting Arizona laws and facts, 4.) maintaining a searchable database for DUI offenders, and 5.) the creation of partnerships with Valley cities. The goals for FY07-08 are increased advertisement frequency that includes yearly ad campaigns and specific versatile ads. Mr. McDonnell thanked the Council for the grant that helped fund this campaign and added that the Council is recognized on all print media. This agenda item was presented for informational purposes and did not require Committee action.

V. Call to the Public

Chairperson Dannels made a call to the public. No members of the audience addressed the Council.

Alberto Gutier provided a legislative update on DUI bills in this session. SB 1582 (DUI; treatment; Continuous Alcohol Monitoring) Early Intervention Program effective July 1, 2008 allows the Arizona Department of Transportation's Motor Vehicle Division to order treatment and ignition devices as conditions of license reinstatement. SB 1029 (DUI; 0.20 Concentration Enhancement) increases the penalties for a person convicted of an extreme DUI with an alcohol concentration of .20 or higher. SB 1026 now SB 1252 (Extreme DUI; Sentence) removes the possibility of suspension of the jail sentence of a person convicted of a first-offense extreme DUI.

VI. Date, Time, and Location of Next Meeting

The next Oversight Council on Driving or Operating Under the Influence Abatement meeting will be held on Thursday, June 21, 2007 at 1:30 p.m. at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

VII. Adjournment

The meeting was adjourned at 2:10 p.m.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director

Audio recording available upon request.



**OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER
THE INFLUENCE ABATEMENT**

Request for Council Action

Action Requested:	Type of Action Requested:	Subject:
June 21, 2007	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Apache County Sheriff's Office request for consideration of grant application

TO: Oversight Council

FROM: Debby Finkel, Grants Coordinator

RECOMMENDATION:

The Council consider the Apache County Sheriff's Office grant application with the other DUI Abatement grant applications.

DISCUSSION:

The Apache County Sheriff's Office grant application was completed on the grant management system prior to the deadline. According to Deputy Spivey's letter, the grant application was submitted, but did not show as accepted by the website.

FISCAL IMPACT:

If the application is considered, an additional grant request of \$46,160 will be added to the Enforcement pool of applications.

ALTERNATIVES:

Not Approve - Modify - Table



OFFICE OF THE SHERIFF
Brian R. Hounshell, Sheriff
Apache County, Arizona



Chief Deputy
David G. Murray

June 1, 2007

District 1
Cmdr. Andrew Tatoya

District 2
Cmdr. Abram Hunt

District 3 & 4
Cmdr. Travis Simshauser

Arizona Criminal Justice Commission
1110 W. Adams Street
Phoenix, Arizona 85007

Detention
Cmdr. Matrese Avila

ACCENT
Cmdr. James Womack

To Whom It May Concern:

I am requesting permission to present my D.U.I. Abatement Grant to the commission at the next regularly scheduled meeting on June 21, 2007. I was out of state on training when the deadline came up for the grant. The grant was completed, and submitted over the internet, but it did not show it was accepted by the website.

I am sorry for any inconvenience this may have caused the commission and the members of the committee, but appreciate the opportunity given to me to present the grant at the next meeting.

Sincerely,

A handwritten signature in dark ink that reads "Lance Spivey #A-24".

Deputy Lance Spivey #A-24
Apache County Sheriffs Office
District II St. Johns, Arizona

Sheriff
BRIAN R. HOUNSHELL
P.O. Box 518
370 S. Washington
St. Johns, AZ 85936
PHONE: (928) 337- 4321
FAX: (928) 337-2709
www.apacheone@usa.com

IV

OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT

Request for Council Action

Action Requested:	Type of Action Requested:	Subject:
June 21, 2007	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Selection and approval of grant applications and fund allocations

TO: Oversight Council

FROM: Debby Finkel, Grants Coordinator

RECOMMENDATION:

The Council select and approve the submitted grant applications to be funded for the Innovative Program with a cycle date of July 1, 2007 through June 30, 2008 and the Enforcement Program with a cycle date of July 1, 2007 through December 31, 2007.

DISCUSSION:

The Council will discuss the submitted applications on two types of programs as authorized by A.R.S. § 28-1303. Grant funds will be provided to political subdivisions and tribal governments for enforcement purposes, prosecutorial and judicial activities, and alcohol abuse treatment services related to preventing and abating driving or operating under the influence occurrences in a motor vehicle or a motorized watercraft. Grants will be awarded for a six month cycle. In addition, funds will be provided for innovative programs that use emerging technologies to educate, prevent or deter occurrences of driving or operating under the influence in a motor vehicle or a motorized watercraft. Innovative grants will be awarded for a one year cycle. The Council authorized \$1,031,507 in available funds for this grant cycle of Enforcement and \$368,395 for Innovative. The most recent financial statement shows that \$783,963 is available for Enforcement and \$747,106 is available for Innovative for FY 2008. Please see the attached spreadsheet indicating grant applications and requested funds.

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

DUI ENFORCEMENT ALLOCATION

Agency Name	TOTAL	783,963	REMAINING	Comments
			\$783,963	
CLICK AGENCY NAME TO ENTER BUDGET DETAIL	FY07 Funding	FY08 Request	FY08 Proposed	
Apache Junction PD	\$0	\$14,080	\$0	
AZ DPS	\$289,597	\$159,019	\$0	Both cycles in 07
Chandler PD (1)	\$0	\$128,012	\$0	Higher priority
Chandler PD (2)	\$0	\$9,992	\$0	Lower priority
AZ DOT MVD	\$3,000	\$12,290	\$0	
Chino Valley PD	\$22,221	\$11,600	\$0	Both cycles in 07
Cochise County Sheriff's Office	\$54,948	\$29,982	\$0	Both cycles in 07
Coconino County Sheriff's Office	\$5,001	\$62,489	\$0	
Cottonwood PD	\$2,700	\$88,000	\$0	
Eager PD	\$0	\$5,200	\$0	
Flagstaff PD	\$26,400	\$26,000	\$0	
Glendale PD	\$24,131	\$40,650	\$0	
Goodyear PD	\$5,581	\$3,872	\$0	
Holbrook PD	\$0	\$13,742	\$0	
La Paz County Attorney	\$0	\$135,331	\$0	2 new fulltime positions
Maricopa County Sheriff's Office	\$75,655	\$97,890	\$0	
Mohave County Sheriff's Office	\$0	\$15,000	\$0	
Nogales PD	\$50,110	\$50,100	\$0	Both cycles in 07
Page PD	\$0	\$51,232	\$0	
Pima County Sheriff's Office	\$120,864	\$61,759	\$0	Both cycles in 07
Sierra Vista PD	\$29,612	\$22,284	\$0	
Thatcher PD (1)	\$13,298	\$35,670	\$0	
Thatcher PD (2)		\$37,770	\$0	
Tohono O'odham Nation	\$0	\$86,133	\$0	
Tucson PD	\$67,021	\$117,364	\$0	
GRAND TOTAL	\$940,139	\$1,315,461	\$0	

DUI INNOVATION ALLOCATION

REMAINING

Agency Name	TOTAL	\$747,106	\$747,106	Comments
CLICK AGENCY NAME TO ENTER BUDGET DETAIL	FY07 Funding	FY08 Request	FY08 Proposed	
Governor's Office of Highway Safety	\$150,000	\$150,000		
Maricopa County Adult Probation Dept	\$0	\$189,000	\$0	FY 06 \$50,000 for SCRAM
Maricopa County Attorney	\$93,712	\$188,530	\$0	
Mohave County Probation Dept	\$0	\$195,190	\$0	
Page Justice Court/Coconino Adult Probation	\$0	\$104,000	\$0	
Phoenix Prosecutor's Office	\$19,500	\$83,853	\$0	FY 07 for overtime
Pima County Attorney's Office	\$10,080	\$9,540	\$0	
AGENCY 7		\$0	\$0	
AGENCY 8		\$0	\$0	
AGENCY 9		\$0	\$0	
AGENCY 10		\$0	\$0	
AGENCY 11		\$0	\$0	
AGENCY 12		\$0	\$0	
GRAND TOTAL	\$123,292	\$920,113	\$0	

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Request for Council Action

Action Requested:	Type of Action Requested:	Subject:
June 21, 2007	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Directed DUI Abatement Funds Reporting

TO: Oversight Council

FROM: Chairperson Mark Dannels

RECOMMENDATION:

The Council discuss and make a determination if recipients of legislatively directed funds should submit annual expense reports to the Oversight Council.

DISCUSSION:

Pursuant to ARS § 28-1304 which states: "The oversight council on driving or operating under the influence abatement established by section 28-1303 shall administer the fund", the Oversight Council has fiduciary responsibility for the DUI Abatement funds. The Council is required to report annually on how the funds were used.

In recent years the Legislature has directed that some program funds be appropriated to the Arizona Division of Motor Vehicles for several personnel positions and for an ignition interlock project notification system. Activity on these projects have not been reported nor included in the annual report. Information on these projects may be useful to the Council and Legislature in future policy decisions.

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

VI

OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT

Request for Council Action

Action Requested:	Type of Action Requested:	Subject:
June 21, 2007	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Oversight Council Logo

TO: Oversight Council

FROM: Chairperson Mark Dannels

RECOMMENDATION:

The Council consider and authorize the creation of a logo for the Oversight Council to be used on all official business.

DISCUSSION:

One of the DUI Abatement grant recipients suggested that a logo be created for the Oversight Council that grant recipients may use on their websites, brochure and other printed materials paid for by DUI Abatement grant funds. In addition, this logo could be used on the Council letterhead and the grant agreements.

The Governor's Office of Highway Safety spent about \$4,500 to have their logo redesigned using a state contracted agency.

FISCAL IMPACT:

Approximately \$5,000 in DUI administrative funds

ALTERNATIVES:

Not Approve - Modify - Table